1: Grigson G-5 (1927-1934) 1949
AW32 Gond AW32
Hill Maria
Bison Horn Maria

Chapter XVII

Village, Clan and Pargana Authorities and Panchayats; their Executive Authority; their Judicial Authority and Methods; Property and Inheritance; Position of Women; the Recent State Orders Restoring Judicial Authority to Panchayats

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One of the most remarkable features of the Bastar of 1927 was the extent to which tribal, village and caste *panchayats* still regulated the religious and social life of the people, acted as intermediaries between them and the State and its zamindaris in meeting State demands for taxes, labour and supplies and in protecting the ryots from undue exactions, and exercised much *de facto* criminal and civil jurisdiction. Here ready to hand was the nucleus of an organization which, if properly handled and fostered, could in time save the State much money spent on law and justice, police and general administration. But the opposite policy had consciously or unconsciously been followed. Any exercise of criminal jurisdiction, even in petty crop theft cases, had been regarded as usurpation of the authority of the police and courts, and persons who had already made ample amends under tribal custom were arrested and sentenced all over again by the tahsildars, while headmen and elders not infrequently were punished for not reporting the offences. A badly trained police, often singularly lacking in common sense, would descend on a village and waste days in pointless investigation of petty cases, expecting not only to be fed on rice, mutton and poultry by the villagers during their stay, but also to be provided with stores of grain under the old *bisaha* system to take away with them at the end of the investigation. Villagers would be compelled to carry the supplies thus forcibly taken from them to the police station, perhaps two or three days' march distant, and would rarely be given even the nominal payment prescribed under the old *bisaha* rules. Then would follow a protracted trial at the still more distant tahsil headquarters, ten witnesses being summoned where three or four would have been ample; and probably all these witnesses at the end of the trial would have to accompany the police party back to the police station to carry their impedimenta, and might be kept even longer as '*athpaharia begar*' labourers to clean the police office and lines and do domestic work for the constables.

1: Grigson G-5 (1927-1934) 1949
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The civil matters ordinarily decided by the *panchayats* would be marriage cases, such as settling the compensation to be awarded to a husband when his wife had eloped with another man. But tahsildars would entertain complaints under the sections of the Indian Penal Code punishing adultery from a husband dissatisfied with the *panchayat's* decision, and thereby undermine yet further the authority of the *panchayat*. I have in an earlier chapter referred to the effect of the unconscionable demands for forced labour and supplies on the position of the village headmen, and shown how in consequence the tendency was to put forward a dummy as the headman for secular matters, the real leadership of the village remaining with the religious headman, that is to say, the *kasyeq-gaita* in the case of the Hill Marias, and the *perma* in that of the Bison-horn Marias, but the dummy being available to bear the brunt of official wrath, though powerless to effect anything without the consent of the village elders. Formerly, there seems little doubt, the *kasyeq-gaita* and the *perma* also discharged the functions of the secular headman; the differentiation of the two functions was the result of the State officials' treatment of the aboriginal. In many Abujhmar villages the functions are still combined, or are held by members of the same family, because State officials were always loath to penetrate into the interior of the Hill Maria country. With the revival of the authority of the headmen and *panchayats* that is now the policy of the State, it may be expected that gradually the religious headmen will resume the secular headmanship also.

It is not surprising that, as the result of these methods of dealing with the aboriginals, their *panchayats* tended to co-operate as little as possible with the State; their object became to conceal crime from the police and in general to comply with State requirements only so far as was necessary in order to avoid trouble, and, above all, visits of subordinate State officials to their villages. The records of murder and other trials show many cases of the village elders meeting and deciding to hush up a crime, especially if it had occurred at harvest or any other busy agricultural season, rather than have the whole life of the village community disorganized by police investigation, committal proceedings and Sessions trial. Such crimes may have come to light later through the *panchayat* reporting them at their own convenience, or through the widow or other relative of a murdered man being dissatisfied with the compensation which the murderer had been ordered to give, while in some *parganas* informers arose who subsequently used their supposed prestige with the police to become petty local tyrants. Conversely on occasions *panchayats*, disgusted with the failure of the police to investigate thefts or with the acquittal of guilty persons by the

3: Elwin E-5 (1935-1942) 1943
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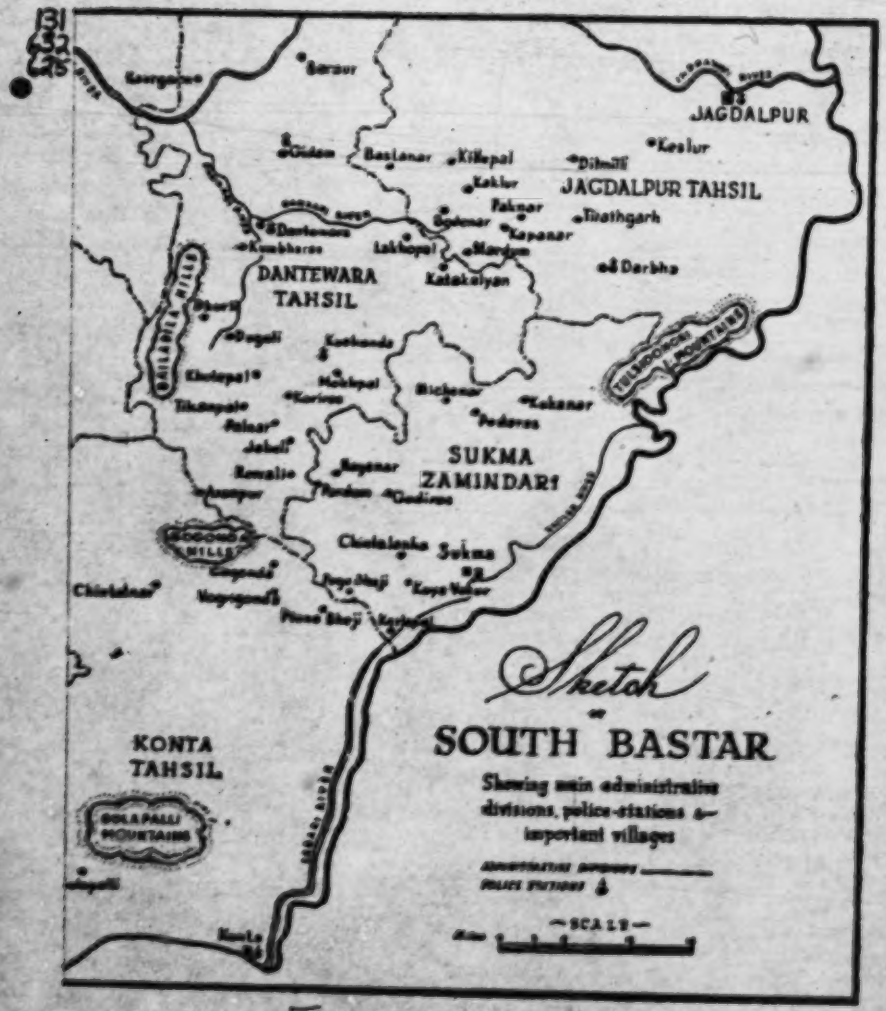

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